



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

MINUTES OF THE COUNCIL AND GENERAL COURT
1622-1629.*

FROM THE ORIGINALS IN THE LIBRARY OF CONGRESS.

(Continued from XX, 157)

*All erasures in the original are here printed in italics.

[pencil folio 47] [ink folio 9]

November 8th Sr Fra: Wyatt Gou'no'
Peaceable Sherwood (¹) aged about 26 yeere sw[orne]
sayeth, that hee knoweth of a trunk that was broken
but was not privy to the doing of it
& sayth that hee saw certayne toren paps [papers] swimming
do[wne]
the river & that M^{rs} Corker sayd they were y^e artic[les]
& sayth that to his best remembrance the word in the
first article was (proportionable, not equall[y])
The 2^d article hee doth acknowledge
Of the 3^d He *know* sayth a booke was to bee ke[pt]
but he doth not remember that *the* no act was to be
entered into or don wthout y^e consent of each other
If any disagreement were, they should pt & a proppier
sion be made *prop*
There was such bonds sealed & deliuered but what
is become of them he knoweth not

¹Peaceable Sherwood was living at James City, February 16, 1623;
but died at "the plantation over the water," before January 23, 1624-5.

Touching the bond He knoweth not what yeares w[ere]
 agreed on for payment, but sayth he heard Mr. Dr[i]
 demand two years And whereas though he is be a witness to
 A bond, he did not reade it ouer.

[pencil folio 48] [ink folio 10]

A Court held the 8 of [November]
 1624 being present Sr Frances
 Wyatt knight Gou'nor

Robert Poole sworne and Examined sayeth y^t in the Tra[ding]
 Vioage wherein he was employed for Mr Thresurer
 Pynnace called y^e Elizabeth, he gave for eve xxx
 Tubb bushell of Corne, he bought of y^e Indiyans, tu xx
 armes length of some beads, and thirteene armes le[ngh]
 of some beades for Another Tubb.

And further he sayeth y^t he did nott put away any o [fMr.]
 Thresurers beads for corne for his owne priv xx
 vse no^r any other in y^e shipp to his knowledg
 but he sayeth y^t all y^e shipps Company did truck
 and trade for skins, butt where they hadd th
 Truck he knoweth nott.

further he sayeth y^t Capt Croshow gave for A great
 Canoe w^h he bought 10000 of blew beades, sayings
 y^t he would give M^r Thresurer satisfaction for the beds

Also he sayeth y^t he paide for matts 20000 of
 blew beads, of wc^h matts there was vsed to seele
 ye shipp 20, and

further he sayeth that he gave to the great man of potuxsea
 to be their guid to pocotonck 6 or 800 of blue bead

And saith y^t hee did not buy aboue 6 tubbs of Co xxx
for any Copper
further he sayeth y^t he did see in A Cheast Ric^d xxx
some 20l of powder Knitt vpp in A Lynnen C xxx
and Certen Shott but how much he knoweth no[t]

further he sayeth y^t he bought 7 great beare skins, 6 xxx
skins, 2 wildcatt skins, 9 otter skins, 2 yonge beare skin
skins [?] 8 or 29 muske ratts skins, 1 Lyone skin w^{ch}
Petuxsone gave him, and y^t brought home
noe black fox skin And sayeth y^t Cap^t Crosh[ow]
[torn and faded] of skins as he hadd

[pencil folio 49] [ink folio 11]

And further he sayeth y^t he bought no e [torn] is
for redy beades to be deliuered him ha

And sayeth y^t at pocotanck they staid some 23 or 24 [days] s in
hope the Indyans would have furnisht them wth Corne [b]ut one
weeke
thereof was vnnecessarily spent in seekinge owte of An English-
man And
the M^r affirmeth ye same also

John Waltam [?] sworne and Examined sayeth y^t there was
in ye ship
one full barrell of powder, anso neere 20l of powder besides
and sayeth y^t Capt Croshow carried ashore owt of the shipp 2
murtherers and 3 Chambers

Jeremy Roberts sworne and Examined sayeth y^t Mr. Gryme did
send y^t dutchmas aboorde and tett away A rudlett of powder
2 or 3 gallons, And further sayeth y^t he tett 200 of da xxx

²John Walton was living at Elizabeth City, February 16, 1623, and was returned as a resident of the same place in the census of January, 1624-5. He was then included in the "Muster" of Alexander Mountney, was aged 28 and came in the Elizabeth in 1621.

fishe from M^r Chew vppon M^r Threasurers Accompt,

Mr Geyny had for his owne vse, and Allwyn dame
vppon his oath doth iustifie the same, and alsoe y^t M^r Gen[y]
Tooke Away 2 Copper furnaces 2 bottomes of Coppe[r]
and 3 Covering of Copper.

[pencil folio 50] [ink folio 12]
[Only contains some meaningles figures.]

[Pages 59 and 60 (numbered 49 and 50) printed Jan. 1912.]

[Page 61 (ink folio 60, pencil folio 87 blank.)]

[blank]

[pencil folio 88] [ink folio 61]

The Testamony of M^{rs} Mary Whittaker [^s] taken
before the Gouverno^r the 19th of November 1624

She affirmeth that not longe after Cap^t Martin cam
into James River, he cam vnto the house of Cap^t Jabez
Whittakers and amonge much other Discourse complayned
y^t he had lost his Cropp by Coming in so late, y^e said M^{rs}
Whittakers Demanded of him why he would com by Canada

^sCaptain Jabez Whitaker owned land and resided on Southampton River, now Hampton Creek. The census of February 1623 shows Captain "Isaac" and Mary Whitaker then living at Elizabeth City. "Isaac" is evidently a misreading or misprint of "Jabez." Captain Jabez Whitaker was a member of the House of Burgesses in 1623 and of the Council 1626. He was probably the same person as Rev. Alexander Whitaker's brother of the same name. He married Mary, daughter of Sir John Bouchier, an uncle of the Regicide (see this Magazine I, 295).

to wth the said Ca Martin replied softlie whispering in her eare they both beinge neere together This was the last plotte of the Company to take away my poore lief.

[ink folio 21] [pencil folio 59]

[torn] Burrows gent sworne and Examined sayeth y^t about whitson munday last m^o Thomas Allnut [⁴] meetinge wth him Told this Exa. y^t now he knew who it was that should steele mara Buck [said y^t was *noe* noe smale one, but y^t it was A great one] And further this Exam sayeth y^t he beinge very ymportunate wth Mr Allnut to tell him who it was, the said Thomas Allnut said it was m^r Sandys y^o minister, and that he had rather m^r Richards should have her then he

Ellnor ye maide servant of Thomas Allnut sworne and examined sayeth, y^t shee herd her m^r and M^{rs} say y^t M^r Sandys ye minister woulde steal away Mara Buck

stolen [torn] and y^t then this Exa: tolde her m^r and M^{rs} y^t Francis

Dunninge servant to Cap^t Mathews, told her that there was one of y^t side y^o water would take away a maide from this side, but named neyther of y^o pties, where vppon her M^r and M^{rs} said they could not devise who should take her Away, except it should bee M^r Sandys y^o minister

Bridgett Burrows y^o wife of John Burrows gent sworne & examined saith y^t uppon whitsone Tewesday in y^o morninge Mrs Allnutt came vnto her and told her y^t now she

⁴Thomas Alnutt and wife were living at the Neck of Land, James City, in Feb. 1623, and at the census of 1624-5 lived at the same place, where they were neighbors of the Burrows family. Thomas Alnutt, came in the *Gift* and his wife in the *Marygold*. It would seem that this statement of Alnutt's charges against Sandys should precede the order of Council (this Magazine XIX, 239) of July 12, 1624, punishing Alnutt for this slander.

knew who it was, and said y^t was M^r Sandys, and this Exa: demandinge of Mrs Allnutt how she knew it, said y^t her maides Countryman dwellinge one the other side y^e water, who told her that there was A maide of this side y^t was to be stolen away by one from the other side

[ink 22] [pencil 60]

asked her anything concerninge [sic] y^e matter y^t Deny it, but y^t *anybody* shée should [torn] to any bodye ells, and further this Exa say this tyme M^r Allnut moved the match very Convenient and fitt for him

John Jacksone sworne and examd sayeth y^t being [torn] his howse, Mr. Burrows. ye p^r vost marshall beinge pnt, vppon some report y^t Mara B[u]ck ge stolen away, M^r Burrows said y^t he had rathe[r] M^r Richards should have her then a stranger, or any other [he] did nott know, and therefore wished Mr Richards yf hee could love her, *and shée him* to make yf he could gett her goodwill to p'vent other Mr. Burrows wisht it might be Devuldge abro[ad] prevent any such intent in others, foorthr this xxx sayeth y^t M^{rs} Burrowes prayed her husband to nott trouble himself for she would look to her so [not?] being stolne and beare y^e blame yf shée were stolne, this Exa: fourther sayeth y^t walkinge in the Ilands wth M^r Richards asked him whether he had any such intent to mary Mara Buck, wth M^r Richards vtterly denied

Thomas Allnut sworne and Examined, sayeth y^t vppon whit Monday at night, M^r Burrows vppon the reporte of M[ara] Buck her stealinge away, said vnto this Exa: y^t hee [would]

rather M^r Richards should have her then one he [knew] not and asked this Exa: yf hee were nott of the s[ame] minde, to w^h he answered yes, and foorth Mr Burr[ows] asked this Exa: wiefe whether shee ware nott of y^e sa[me] minde to, to whom she answered yes.

Mrs Allnut ye wiefe of Thomas Allnut sworne and examined say
y^t Ellynor her maide did tell her, t^t her Countrey wo[man] dwelleth with Mr Thresurer Capt Mathews did tell her y^t there was one [of]
there plantatione y^t intended to steale Awaye a maide of this side And ther vpon this Exa: suspected it was Mr Sandys y^e minister, And accordinglie went to M^r bourow and Acquainted her y^t she thought it was Mr Sandys

[ink folio 25] [pencil folio 63]

Whereas Mr Doctor Pott and Capt Hamer were sent to search for certen of M^r Tutchins papers, Among Hamer happened vpon one wrightinge w^h Concerned the said Capt Hamer Walter Davis and Edwarde Tutchine, w^h Cap^t Hamer beinge Gardian to John Daus brother to y^e said Walter Davis deceased, tooke owt of the truncke, and p^rsent heere in Coorte, therby to Challenge what should be dewe from the said Edward Tutchine, And whilst y^e matter was in Debatinge M^r Lamoyne much forgettinge himself spake these words) Concerninge y^e taking away of the said wrightinge that yf him self should haue done as much, perhaps he should have kyste the whippinge post, where vpon the Court hath Censured y^e said Lamoyne to aske Cap^t Hamer in open Court forgiveness and to pay twenty pownd str. fyne to y^e Courte

John Swarbrooke (⁶) sworne and Examined sayeth y^t the Cowe in controversie between Mr Blany and M^r Sharpe

⁶No John Swarbrook appears in Hotten. A John Swarbeck lived at Pasbehaighs 1624-5.

was never vnder his Charge when he kept Capt W^m
Powells Cattle, w^h was *about* from about A moneth after y^e
massacre vntill y^e Court next followinge

Christopher Sanford sworne and exad sayeth, that y^e Cow in
Controversie as aforesaid was brought hither to this Iland
after y^e massacre w^h Sr George Yardley Cattle, and
was vnder this Exat Charge about nyne moneths
and y^e when he delivered vpp Sr George Yardleys Cattle
he left that Cow amongst them,

Yt is ordered y^e M^r Blany shall deliu to M^r Sharpe the
Cow and A Calf when prooffe is made w^h is y^e Calfe

Yt is ordered yt Peter Stafferton (⁶) shall paye Capt Peerce
one hundred and fiftie pownd waight of merchantable
Tobacco, because he failed him of seaventeen barrells of
Corne sold to him y^e said Cap^t Peerce for nyntee pownd
of Tobacco y^e barrell, and Doctor Pott Testifieth in Court

[ink 26] [pencil 64]

Y^e is ordered y^e Cap^t Nathaniell Basse (⁷) shall have the
Vse of the lande late belonginge to George Grymes (⁸)

⁶"Mr. Stafferton" and wife were living at James City in 1623. Peter Stafferton was a member of the House of Burgesses for Elizabeth City in 1639.

⁷At the Census of 1624-5 Captain Nathaniel Basse, aged 35, who had come in the *Futherance* in 1622, lived at Basse's Choice in the present Isle of Wight County. In 1620 and 1621-22 he, with his associates Sir Richard Worsley, Bart., John Hobson, Gent., and Captain Christopher Lawne agreed to transport 100 persons to Virginia, and received a confirmation, their old patent to be called "The Isle of Wight's plantation." He was a member of the House of Burgesses for Warrosquoiacke March 1623-4 and October 1629.

⁸George Grymes appears in the list, dated Feb. 16, 1623, of those dead at the Neck of Land, since April last. As Grymes was living when this order was made it seems that the page of the original must be misplaced.

at the neck of lande vntill the said Capt Basse
be satisfied the some of Fyftie pound weight of tobac[co]
wch the said George Grymes Doth owe him as by two
bills of Dept 'duced in Courte Appeereth

Yt is ordered y^t M^r Horwood shalbe heere at Courte
the seauententh of this instant January To bringe
in his Answer to Capt Hamers demands

John Southerne sworne and Exam' sayeth, th' m^r
Nicholas Hide borrowed of John Elysone (⁹) thirty
shillings for one yeere for wth this Examt standeth
bonde and suartie for m^r Hide

Yt is ordered y^t m^r Jonas Stogden shall take the oath
of William Cooke whether he were acquainted wth
the saile of three servant of W^m Gauntlets to Cap^t
Tucker, or vppon w^t Conditions they were made
over to Cap^t Tucker.

Yt is ordered that Joseph Johnson shall paye Christopher
Best (¹⁰) twenty pounds weight of Tobacco for the Dept
of Rowland loftis or otherwyde y^t he appeare heere
at the Counsell Table one mondye next to shew
Cause to the Contrarye

Whereas Cap^t Bass bought A Sow of Abraham
Porter (¹¹) for forty pounds waight of *principall good Tobacco*

M^r Humphrey Rastell sworne and exam' sayeth that
Capt Bass did p'mise payment of princypall
good Tobacco as y^e said Abraham required

⁹John Ellison who came in the **Prosperous** and his wife Ellin who
came in the **Charitie** were living at Archer's Hope 1624-5.

¹⁰Christopher Best was living at James City 1623.

¹¹Abraham Porter, aged 36, is included by Hotten as among the ser-
vants of Peter Longman at James City in 1624-5. If Hotten is correct,
this order shows that servants could hold property beyond their neces-
sary clothes.

Yt is ordered that Robert Chambley for his Contempt
 in not proving in A Jury beinge lawfully warned
 by the Provost Marshall shall pay twenty pound
 waight of good merchantable Tobacco
 Yt is

[ink 70] [pencil 97]

Whereas John Powell in the behalfe of himself John Woo [xxx]
 Williams brought into this countie, one Covenant made by
 Richarde als Sheparde bearinge date the first of Novembe
 by wth Covenant they were to pay to Mr Danell Gookin or hi
 A Certen some of Tobacco, as also to deliver divers men & go
 as by the Covenant it doth and may farther Appeere, And for
 as y^e said Richarde als Sheparde is departed owt of This Co
 and hath left noe Certen Attorney to receive the said Tobacco
 me

and goodes, nor other order as yett Taken by Mr Gookin, Th
 Gou'ernor and Counsell takinge into Their Consideracon y^t the
 said

Mr Gookine may not be dampnified by the necligenc of his
 officer

have appoynted Cap^t W^m Tucker, to take and receive into his
 Custody and Care, not only the Tobacco and Corne dew by th
 Covenant wth Charge to see y^e Tobacco be of the best y^t grew
 that Cropp, and that non of the said Cropp be otherwise disp
 of till the said Choyse be made, But also the Plantacione
 servant Cattell and other goods thervnto beloanginge And
 in the said Covenant specyfied, And y^t the said Cap^t Tucker
 vppon the receipte of the before expressest p^rmises do putt
 in bound wth Sufficyent suerties to y^e Gouernor and Counsell
 to be at all tymes Answerable to the said Daniell Gookine
 or his Assignes Concerninge the premises, at or before y^e

xxth

daye of January now next ensuinge.

Richard Smith servant to Mr. Robert Addams (¹²) sworne and Examined

sayeth y^t to his knowledge his m^r did never gather any of m^r Horwoods Corne, nor that his said Mr did euer bid him to gather any of Mr. Horwoods Corne.

Robert Addams sworne and Examined sayeth y^t James Davis made A Bargaine wth M^r Emersonne (¹³), That in regarde m^r. Emersonne was to free y^e said James Davis of his service, he was to give the said Mr. Emersonne one servant boy and a Cowe.

[pencil 98] [ink 71]

Whereas Anna Cooper Complayned in Coorte by [torn] tion yt her late husband James Harisone (¹⁴) did lend a shalopp to Liv^t George Harisone late deceased, wth boate the saide Anna Cooper often demanded of the said Livt Harysone, but could never gett the same or Satisfacto^r for it

¹²Robert Addams who came in the **Bona Nova**, was living at Martins Hundred in Feb. 1624, Mr. William Harwood (or Horwood) also lived at Martin's Hundred in 1624 and had six servants. He was appointed to the Council in 1620 and in the next year Commander of Martin's Hundred.

¹³In 1624-5 John Davies, who came in the **George** in 1617 and William Emerson, "his p'tner," who came in the **Sampson** in 1618, were living at Jordan's Journey.

¹⁴In Feb. 1624 Ellis Emerson, Ann his wife and Thomas his son, aged 11, all of whom came in the **George** in 1623, were living at Martin's Brandon. Alice and Robert Emerson, children of "Mr. Emerson," had died in 1623.

¹⁵No details regarding Ensign James Harrison appear in the old records. Lieutenant George Harrison was brother of Sir John Harrison of London; was granted a tract of land near Chippoaks Creek on the south side of James River March 6, 1620-21, fought what was probably the first duel in Virginia in the Spring of 1624, and died shortly afterwards. See Brown's Genesis, II, 913.

Uppon the Testimony of Capt Hamer, that Ensigne Harisone did lend the said shallopp to Liv^t George Harisone And vppon the Testimony of Cap^t Tucker, y^t he demanded the saide shallop of Liv^t Harisone in the Right of the saide Anna Cooper.

It is in Courte ordered that George Menefrey Administrator for y^e saide Liv^t George Harisone shall presently paye to the saide Anna Cooper in Satisfaction for the said shallop some of one hundred pound weight of marchantable Tobacco

Cap^t Raphe Hamer Counsellor of State sworne & examined sayeth, that beinge in Conference wth Cap^t Martyn about the Gouvernor, Cap^t Martyn said to this Examinat, that yf the Gouvernor when the date of his three years was ower, would governe for the kinge, he would rather he were Governor than any man else, But yf he governed for the Company, he would nott allow him to be Governor Then this Exa^t made answer, that hee thought ye Go^uno^r allwayse governed for the Kinge, for in all things he governed Accordinge to the Kings lawes.

Cap^t Roger Smith Counsellor of State sworne and Examined sayeth, y^t Cap^t Martyn being at supper with this deponents sister and himself, Falinge in talke about Virginia, he showed some Virginia dyamonds wth some other thing amongst the rest there was A peece of Cristall, and beinge demanded from whence he had it, Cap^t Martyn saide ther was A rock of Christall fownd in Virginia, And this Examinat said y^t in his tyme beinge in Virginia he never knew of Any, Then Cap^t Martyn said y^t when he cam to Virginia y^t this deponent should see ~~him~~ have A chrisoll mantle Tree

[pencil 75] [ink 37]

A Courte held the laste daye of November, 1624
 Present Sr Francis Wyatt Knight &c Cap^t Francis
 West Sr George Yardley M. Treasurer, Doctor
 Pott, Cap^t Smith, Cap^t Hamer.

Hughe Hayward (¹⁵) and Robert Fitt sworne and examined
 say, that

they were p^rsent when Thomas Harralde made his will and that
 they both were wittnesses to the same, and y^t this will brought
 into the Courte by M^r RichardeKingsmell is the same will
 and that he was in p^rfect memory when he made the same, and
 lived about a month after, but made no later will that they
 know of.

Silvester Bullen sworne and exa sayeth that John
 Dayns did Carye Certen Tymber for Cap^t Tho: Barwick
 to his house, for w^{ch} he p^rmisid him some Tobacco but
 how much he knoweth nott.

It is ordered y^t whereas Thomas Sulley hath broken y^e Saboth
 daye in goinge A huntinge, as by M^r Richard Kingsmell
 hath been Complayned one in Coorte, That he shall paye
 five pownd sterlinge in good Tobacco Towards the Church
 Charge, and acknowledge his falte in the Church before the
 Congregatione

Thomas Gates sworne and examined sayeth, that he Cominge to
 John Jacksonne to demande 76 pownd of Tobacco, y^e same
 Jacksonne went wth him to George Clarke, and Caled y^e
 said George Clarke and told him that this is the man y^t
 this *is the* must make your house Tyte and yf you will
 pay him y^e 76 pownd of Tobacco I will giue you an Acquittal

¹⁵Hugh **Haward**, who came in the **Starr** and his wife Susan, who came
 in the **George**, were living at Pashbehaighs in January 1624.

Robert Fitt, who came in the **George** and his wife Ann, who came
 in the **Abigail**, lived on James City Island 1624-5.

Silvester Buller, aged 28, was then a servant of Richard Tree at
 James City.

Thomas Gates, who came in the **Swan** in 1609, was living in 1624-5
 at Pace's Paines on the south side of the river near Jamestown. George
 Clarke died at James City in 1623-4.

[ink 38] [pencil 76]

It is ordered at this Courte, That Capt Martyn shall paye to Mr Humphrie Rastell 960 pound weight of good merchantable Tobacco such as shalbe valued woorth ijs the pownde at or before ihe xxth daye of December now next ensuinge at James Cyllie And that yf the said Capt John Martyn do fayle in payment of the said Tobacco in pte or in the whole, in and vppon the aforesaid That then Capt Martyn shall forfeyt ye 600 pound weight of Tobacco allowed him by the Coorte.

And that vppon the payment of the said 960 pound waight of Tobacco the said Capt Martyn and Mr. Rastell shall seale Release eyther to other concerninge this business

Wheras Cap^t John Martyn by Covenant vnder his hande and seale ys to paye M^r Humfrey Rastell for Transportinge of him self and twelve men and Certen goods, the some of two hundred, twenty and eight pownd ster as Tobacco shalbe woorth heere in redy money

Yt is ordered that there be abated for five men w^{ch} should have been Transported and were nott, as also for their victualls sixtie pownde sterling.

Yt is ordered y^t there be six hundred pownd waight of Tobacco allowed Cap^t. John Martyn, for wrongs and damages in Caryinge him to Canada and detayninge him there, wherby he Arived soe late in Virginia w^{ch} six hundred pownd waight of Tobacco at two shillings the pownde Cometh to sixtie pownde ste^r (The

Remander beinge one *thousande* hundred and *fowerscore* eight pownde *waight* ster, Cap^t Martyn ys to paye in such Tobacco as shalbe worth heere two shillings A pownde (wch will

Amounte to one thowsand and fowerscore pownd of Tobacco w^{ch} Cap^t Martin is to paye to M^r Humfrey Rastell Exer Admr or assignes at or before the twentieth daye of December now next Ensuinge in James Cyttie (And that yf ye saide Cap^t Martyn do fayle in payinge of the said one Thowsand and fowerscore pownd of Tobacco in pte or in the whole at or before the days aforesaid, That then Cap^t Martyn shall forfeit the six hundred pownd of Tobacco allowed him for wronge and damages as aforesaid

And that vppon the Payment of ye saide one Thowsand and fowerscore pownd waight of Tobacco, The said Cap^t Martyn and M^r. Humfrey Rastell shall seale Release eyther to other for and Concerninge this Business.

[ink 39] [pencil 77]

John Phillip A negro Christened in England 12 years since sworne & exam sayeth, y^t beinge in a shipp wth Sr *Arthur* Henry Maneringe they tooke
A ship spanish shipp aboute Cape Sct Mary and Caryed her to mamora
in w^{ch} shipp was A spanishe ladye and divers other, And beinge in Mam^a
m^r Symon Tuchinge Cam into Mamora in a smale shipp, and after
some Conference had by y^e said Tuckinge wth Spaniards taken as
aforesaid, he was by them ymployed in y^e said smale shipp to Lisbone
to feach money for the Ransominge of the said lady w^{ch} Accord-
inglie he p^rformed.

Edward Pepprett sworne and Examined sayeth y^t Symon Tuching told this deponent
him before divers other of the shippes Company thar he *was* the saide

Tutchinge was banished owt of England and Ireland, sayinge
 I Come of A good kindred, I dare nott shew my face wher I
 was borne, I care nott yf all my kindred were hanged, and doth
 Cale the p'testant Lutherans, And further sayeth y^t saide
 Tutchine hath been very dilligent in soundings of this River
 as also in enqueringe after the Chanells of other Rivers wthin
 the baye And further he sayeth that Tutchinge doth give owt
 and intend at his returne to Tuch at the Western Ilands and
 refresh his men

George Rugless sworne and Examined sayeth y^t the said
 Tuchinge
 reported of himselfe y^t he was a banished man owt of England
 and
 sayeth y^t he was very well acquainted and respected in y^e Made-
 ras
 and hath said of his kindred (y^t they did not care for him, nor he
 for them, And he cared not yf his freends were all hanged
 and yt yf occasione were, he would Tuch at the Wester Ilands
Maderas as he reto^r.

John Lamoyne marchant sworne and Examined sayeth y^t M^r
 Tuchinge
 did tell This Examine that he was a banished man owt of Ire-
 lande.

[ink 40] [pencil 78]

William Emerson sworne and Ex^a sayeth, that at Christmas
 last past this Examt^r and John Davis, Did give to *William*
 Liv^t Gibbs for A man servant named w^m Popleton, for
 two yeers, three hundred pownd waight of tobacco wch
 Tobacco was presently paid to Liv^t Gibbs.

Yt is ordered y^t y^e like Lre of Administ^r be granted to John
 Bush as hath been formerly granted to mr. George Keth
 And that he bringe two Sufficyent men to stande bound

wth him the trew pformance of the said Administra^r And to be heere one mondaye next Com fortnight to pforme this order, at wth time or before Mr. Keth is to bringe in A trew Accompt of the Estate of y^e O^rphant

[At the end of this page and the beginning of the next, are depositions in regard to the attempt made by the drunken master of the ship *Ambrose* then lying in James River, to commit an unnatural crime with one of the crew. The details are unprintable, even as part of an ancient record.]

[pencil 95] [ink 68]

Mr William Cleybourne sayeth y^t he was in place when M^r Threasurer did say he had frely forgeeve Marten Turner two yeers service *of his 7 yeers w^{ch} he was to serve him. And Marten Turner did not contradict it.* And y^t howe Marten had but five yeeres to serve, wth the said Marten beinge presesnt did not gaine say.

Wheras the Counsell *the half* doth Challenge for them selves and the Publique officers of the Colonie the moytie of y^e Companys rente, as Appeereth by theire great Charter of laws and prders dated [sic]—————And since it is a thinge y^t was never heertofore payed Nor by the Treasurers Commissione as he Conceaveth, he is Awthorized to pay it, He therefore doth Peticion the Court, That it may be referred to A nisi prys, wherein neyther pte shalbe interested Yt is ordered yt one *Teusday* Wensday Com senight the xvth of this december next (sic) be a Jury warned of discreet A Sufficyent men Consistinge of 18 psones in number to decide the forsaid Questione

[96] [69]

Wheras Cap^t Hamer Compleyned in Courte for y^e recovery
 of A Debt of 250 waight of Tobacco Dew to be paide
 by Ensigne James Harrisone Deceased and David Bailly
 and John Costarde l^hwise Deceased as p^rners together
 for as much as noe prooffe was made of their p^rnershipp
 and for y^t it Did appeare by two servants that were only
 left alive, That they did proply belong to the saide
 James Harisone, as by deposition of the said servant
 appearath y^t is therefore ordered y^t Anna Cooper late
 wife to the said James Harisone doe onely Satisfie the
 p^per depts dew by the said James Harrisone

The Depositions of Jo: Coker taken before Capt
 Willia Tucker ye xxith dye of November 1624
 Tutching y^e difference between Cap^t Raphe Hamer
 and Justinian Coop^r and his wife

This deponent sayeth y^t he was servant only to Ensigne
 James Harisone, and no man to Jo: Costerd
 or David Baylie, neyther doth he know of any agrement
 betweene the said James Harisone John Coster and David
 Barry of C^ptnershipp And he also sayeth that the
 said James Harysone had p^te o^r pcell of the
 goodes that were bought of M^r. Robert Bennett
 deceased by the said John Coster or David Barry
 John Coker

The depositione of John Curtis
 taken as aforesaide

This deponent sayeth y^t Ensigne James Harisone deceased

bought of Liv^t John Cheasman (¹⁶) his [Curts's] tyme of service

and two more named Henry Davis and Jo: Maltman
for y^e sole and pper use of the saide James Harysone
for the some of six hundred pownds of Tobacco which
some was paid by the wiefe of the said James
Harysone owt of his owne pper Tobacco
The mark X of Jo:

Curtis

I William Tucker doe affirme.

[Page 79 (ink 63, pencil 79) blank]

¹⁶Justinian Cooper who, from this entry is shown to have married Ann widow of James Harrison, was long resident in Virginia though his name does not appear in the Census of 1624-5. He was probably out of the country at the time. He settled at Warrosquioacke (the present Isle of Wight). On Sept. 1, 1636, he patented 1050 acres in the County of Warrosquioacke adjoining the head of Lawne's Creek, Back Bay and his own dwelling house. In 1645 he patented tracts of 112 and 1350 acres in Isle of Wight County near the head of Seaward's Creek, part of which had been granted to him in 1637. He had other grants of land.

There are various papers in the records of Isle of Wight County which refer to him. Among these are; (1) deed dated Oct. 19, 1625, from Gyles Jones to Justinian Cooper and Ann his wife, conveying 100 acres, part of a patent dated December 14, 1619; (2) deed Sept 29, 1629, from Justinian Cooper and Ann his wife, "late relic of James Harrison," to Wassell Neblin and George Fawdon, conveying the above named 100 acres; (3) deed, April, 25, 1646, from Justinian Cooper and Ann his wife to John George, conveying the Robert Bennett Tract and the Quarter Tract (200 acres) part of a patent for 2,000 acres, dated March 16, 1642; (4) will of Justinian Cooper, dated March 26, 1650, (printed in this Magazine VI, 122). His wife Ann was then living; (5) deed, 1671, from William Woolard, late of Harwich, Essex, England, mariner, but now resident in Isle of Wight County, Va., heir of Justinian Cooper, long since deceased, to Nathaniel Bacon, Esq.

¹⁶John Cheesman, or Chisman, of Kicoughtan, gent., patented 200 acres on the river over against that place, Sept. 2, 1624. He was born in 1597, came to Virginia in 1621, was a Justice of York County 1635, member of the House of Burgesses 1642-3, and was appointed to the Council 1652. He married Margaret—, and returned to England before 1661, being then a resident of the parish of St. Mary Magdalene, Bermond Sea, Surrey. He died in 1665. His brothers Thomas and Edward Chisman (the latter born in 1602) were living with him in Virginia in 1623. From the latter the Virginia family of Cheesman or Chisman descends. See this Magazine I, 311, 312; XIV, 86, and Wm. and Mary Quarterly Oct. 1892 and July 1893.

[ink 44] [pencil 80].

A Courte held the xiiijth of December 1624 present
Sr: Francis Wyatt knight &c Sr George Yardly Knight
Doctor Pott, Cap^t Hamer, Cap^t Smith

Abraham Porter sworne and examined sayeth y^t the last yeere
beinge

at William Cluch his howse, he sawe A hogg kilde that hadd
noe Eare marke and y^t Cluch told this exa^r he bought
that hogg of John Johnsone for A snaphaine peece.

Further this Examana^t sayeth y^t y^e saide W^m Gluck told this
Examinat^r y^t *John K.* John Johnsone sold John Haule A hogg
wch was ynearmarkt.

And further this Ex^a sayth y^t John Haule kild A hogg
yppon yt Saboth dye by ye appoyntment of John Johnsone
as Clutch told him.

William Cluch aworne and Ex^a sayeth y^t John Johnsone sold him
A hogg w^{ch} was not eare markt, for w^{ch} hog he gave the
said Johnsone a snaphame peece.

Further he sayeth y^t about 3 weeks since this Exa^m Cominge
from Eveninge prayer (¹⁷) yppon the saboth daye, John Haule
had kild a hog at John Johnsons house, for w^{ch} John
Johnsone was angry with his wiefe and John Haule.

Yt is ordered yt wheras John Johnsone hath kild 4 hogg of 3
quarters olde beinge vnearmarkt, Contrary to A lawe
formerly made, that he shall make restitutione of
4 other hogg of the same age to the use of ye *colony* Go^uno^r.

Richard Craven (¹⁸) sworne and Examined sayeth y^t W^m
Cooke

and Thomas Hethersell Borrowed A Boate of Richard
Tree to Carry downe theire goodes to blunt poynt
by whose Careles necklect the saide boate was
splite and quite loste.

¹⁷It is interesting to know that there was evening prayer in the
Church at Jamestown where John Johnson lived.

¹⁸Richard Craven owned 150 acres at Blunt Point in 1626.

John Clarkstone sworne and examined sayeth y^t Richard Tree did

lend a boate to M^r. Thomas Hethersoll, w^{ch} boat M^r. Hethersoll

did p'mise to deliuer safe again to Richard Tree at James Cyttie and Cominge to Martins hundred, M^r. W^m Cooke & M^r. Hethersoll, Richard Craven and this Exa' beinge in ye boate they went ashore, And this Exam' seeinge much fowle wether Cominge, he went and requested M^r. Cooke and M^r. Hethersoll to Come, and helpe to draw ye boate to som Convenient place where she might be owt of danger but they answered they wold not by reasone whereof y^e boat was split & lost.

[pencil 81] [ink 45]

Luke Edan sworne and Examined sayeth that there was sixteen thousand of fish offered him by one Corbin at Canada w^{ch} afterward y^e said Corbin refused to sell him for that it was told him his Tobacco was not good, and as this Exa' hurd, it was Henry Hewet that told him soe.

Further this exam sayeth y^t there were Certen Rugge
and **prunes** abourd the shipp of one *dockett* lanes
bargand for and Dockett was to receive the
London June Tobacco
the twentieth? for them, w^{ch} in regard the Rug were sent
Dispensation ashore
in a fowle and Raging daye by Mr Hewett,
Dockett
would not lett this Exa by neither the prunes nor
Rugg.

Domine

[This Further this Exam sayeth y^t he rec'd but seventy
marginal and six pound waight of M^r Marshalls Tobacco wth
note is he disbursed and is redy to geve an Accompt for it
& and foorth saye that there was about thre hundred
illegible] pound waight of Tobacco in A Cheast y^t no better
then doinge and nothinge woorth.

M^r Doctor Pott affirmeth y^t M. Dilke beinge at his howse
told him y^t he was to be his *my* his neighbour, sayinge y^t he
had agreed wth Jo: Lightfoote for his house and groundes
where vnto Doctor Pott replied y^t Jo: Lightfoot (to his
knowledge) had let the house and ground to goodman
Binck (¹⁹) and y^t it wold breed Controversie and
the pooreman wold be disapoynted, wherto Mr. Delke
answered y^t John Lightfoote told him y^t Binck
had geven it over, then Doctor Pott was sent
his boy for John Lightfoote and asked him when
he would offer to sell his howse to M^r Dilke in
regard he hadd formerly lett it to goodman Binks
wherto he answered y^t he thought Bincke wold
not have it because he did not com over vpon
new years dye, as he had apoynted.

[page 46 is blank]

[ink 82] [pencil 82]

(TO BE CONTINUED)

¹⁹William Banks and Ann his wife were living at the Main near
James City 1624-5.